

Notice of Allowability	Application No.	Applicant(s)
	10/014,107	YENNE ET AL.
	Examiner	Art Unit

Hoang-Vu A. Nguyen-Ba

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue, at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to Amendment filed January 10, 2005.
2. The allowed claim(s) is/are 31-56.
3. The drawings filed on 10 January 2005 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 7/8/02
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.



ANTONY NGUYEN-BA
PRIMARY EXAMINER

DETAILED ACTION

1. This action is responsive to amendment filed January 10, 2005.

Response to Amendments

2. Per Applicants request, claims 1-30 have been canceled and new claims 31-56 have been entered.
3. Claims 31-56 are now pending.
4. Minor corrections to the drawings filed January 10, 2005 are approved by the Examiner.
5. The objection to the Specification because the Abstract contains more than 150 words is withdrawn in view of a new abstract submitted concurrently with the above-mentioned amendment.
6. The objection to claims 17, 19, 25, 29 30 and rejection of claims 20, 27 and 28 under 35 U.S.C. § 112, second paragraph as being indefinite is moot in view of Applicants' cancellation of these claims.
7. The rejection of claim 1-30 under 35 U.S.C. § 102(e) as being anticipated by Mattson, Jr. et al. is moot in view of Applicants' cancellation of these claims.

Examiner's Statement of Reasons for Allowance

8. Claims 31-56 are allowed.
9. The following is an examiner's statement of reasons for allowance:

The prior art of record, i.e., Mattson, Jr. et al., taken individually or in combination, fails to teach or suggest a computer software run-time analysis systems and methods. Specifically, the prior art of record fails to teach the limitations recited in claims 31 and 44.

Mattson, Jr. et al. teaches a dynamic software development tool for software optimization by using emulation or translation to alter the user process code instructions. Mattson, Jr. et al. fails to teach concurrently executing first and second instances of a software program wherein the first and second instances interact with a trace control channel to save trace information corresponding to trace points in the trace channel.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Hoang-Vu A. Nguyen-Ba whose telephone number is (571) 272-3701. The Examiner can normally be reached on Tuesday-Friday, 7:15 – 17:45.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Tuan Dam can be reached at (571) 272-3695.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**ANTONY NGUYEN-BA
PRIMARY EXAMINER**

Art Unit 2192

May 10, 2005

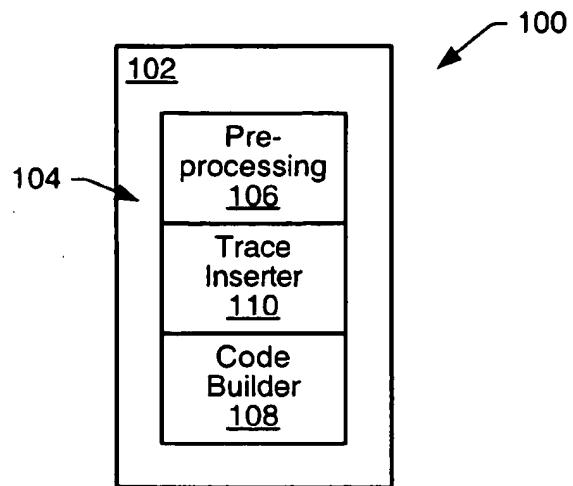


Fig. 1

Approved by examiner: *Stan* 5/8/05

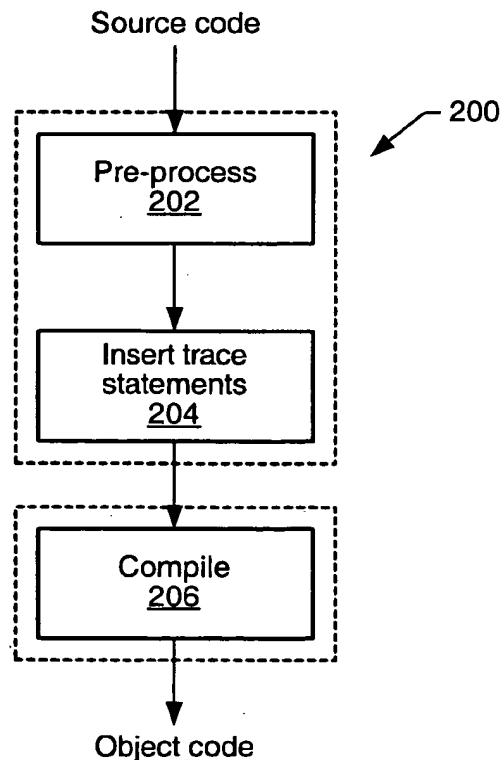


Fig. 2

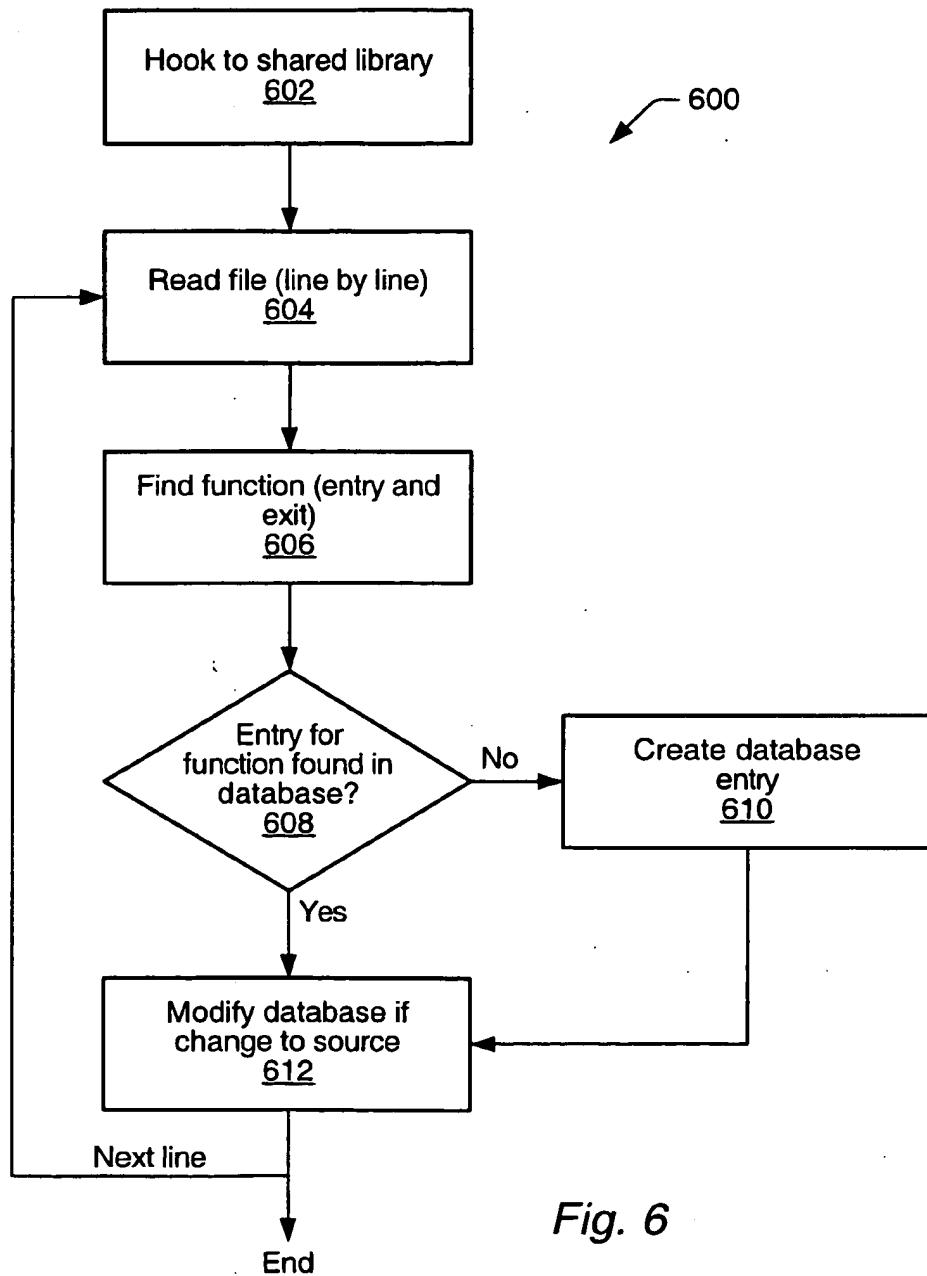


Fig. 6

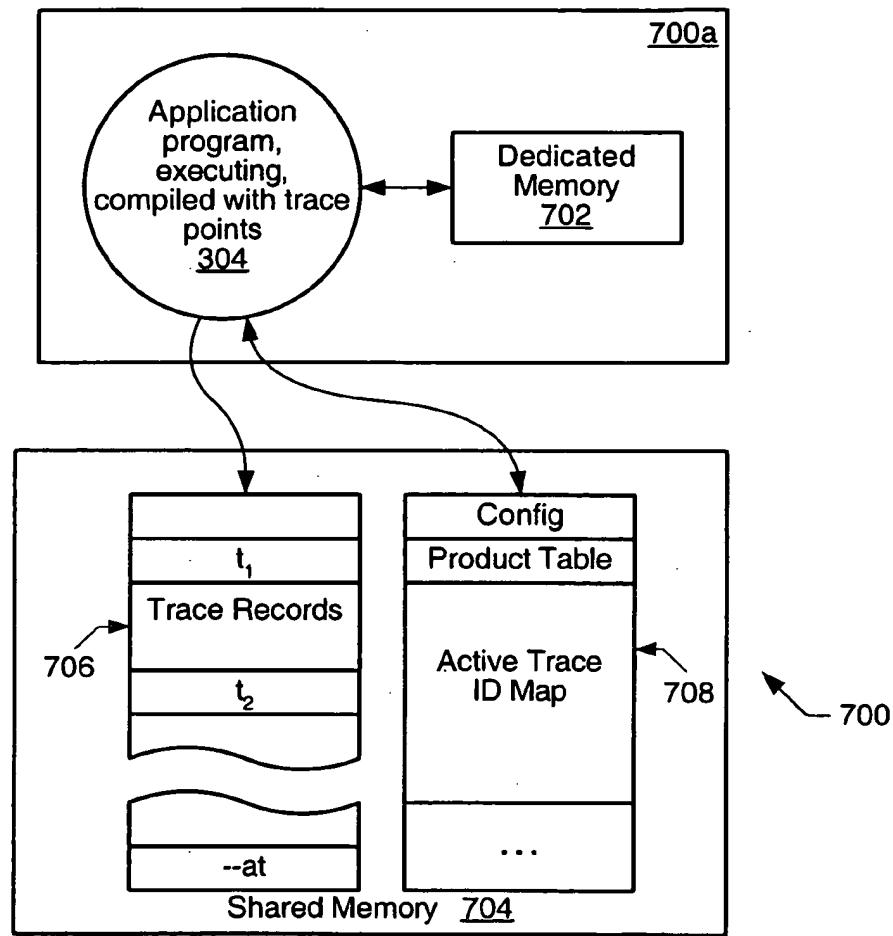


Fig. 7

Approved by examiner than 5/8/05

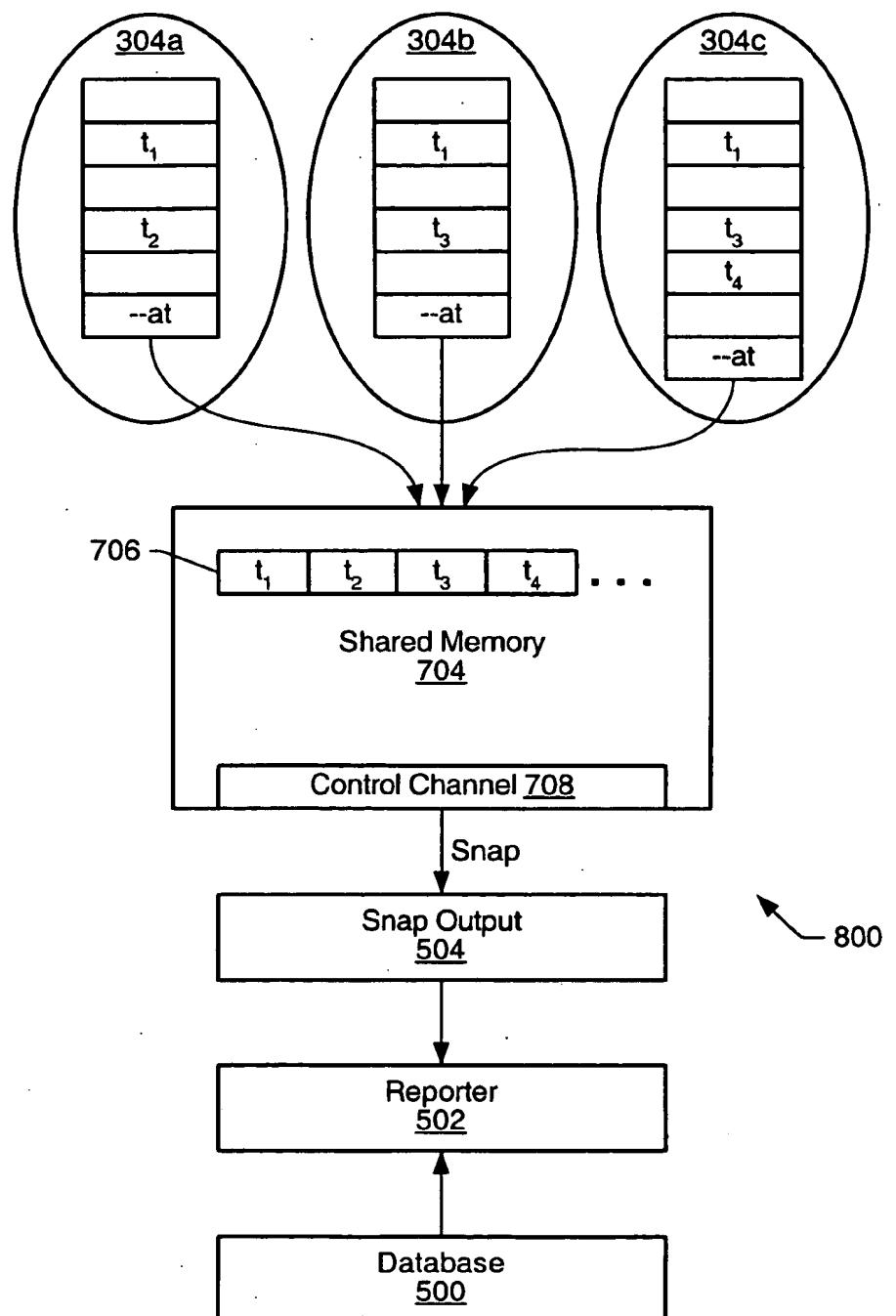


Fig. 8



Replacement Sheet

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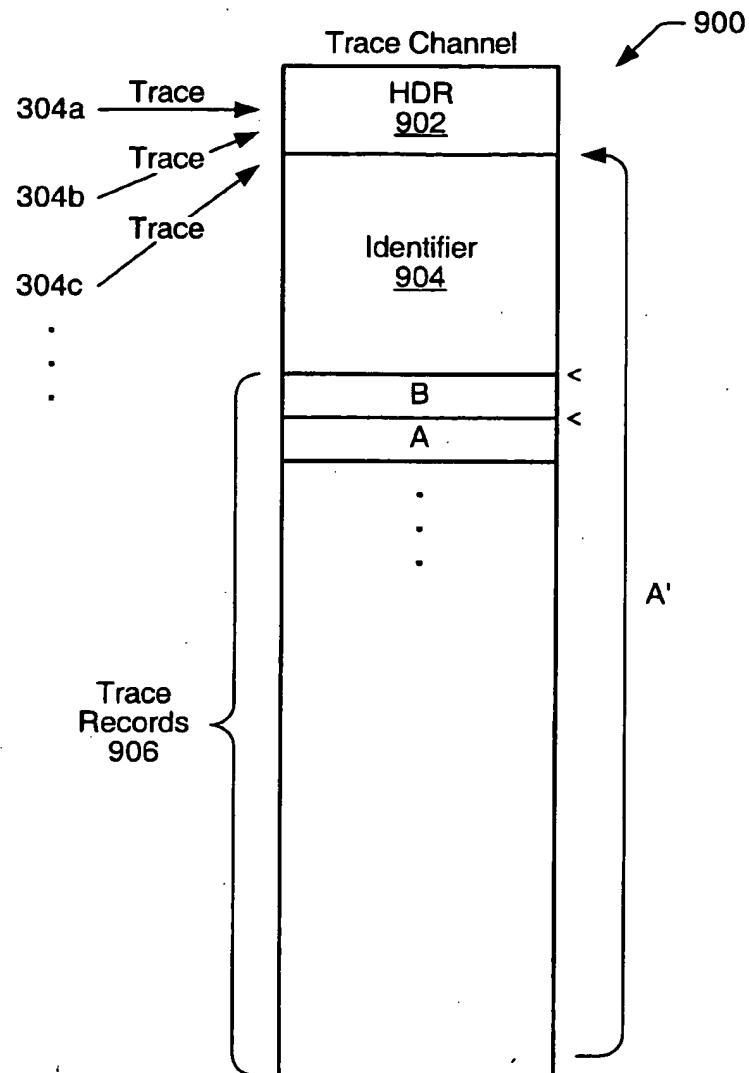


Fig. 9

Approved by examiner Plan 5/8/05